

IN THE JUSTICE COURT, PRESCOTT PRECINCT

COUNTY OF YAVAPAI, STATE OF ARIZONA

ORIGINAL

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

Case Number: 2008100744J

2008 NOV -5 AM 9:59 www.prescottpcourt.com

<p>TITLE:</p> <p>STATE OF ARIZONA,</p> <p style="text-align: right;">Plaintiff.</p> <p style="text-align: center;">vs.</p> <p>STEVEN CAROL DEMOCKER, DOB: 1/7/1954 Hand Delivered in Jail 10/24/2008</p> <p style="text-align: right;">Defendant.</p>	<p>COUNSEL: JEANNE HICKS, CLERK</p> <p>COUNTY ATTORNEY Beth Blanton BY: _____ For Plaintiff.</p> <p style="text-align: center;">and</p> <p>JOHN M. SEARS, <i>CB 2008-1339</i></p> <p style="text-align: right;">For Defendant.</p>
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NATURE OF PROCEEDINGS

Date: 10/24/2008

Clerk: Sheri H.

Hon: Arthur Markham

APPEARANCES:

Defendant seen on Prescott jail monitor, in custody of Sheriff, and authorizes the use of video proceedings.
 Victim Witness Present, Victim(s) Not Present in Court.
 Defendant's true and correct name verified and reflected herein.
 Defendant verifies that the address specified in this docket is his/her incorrect and his/her current address is 1716 Alpine Meadows Lane #1405, Prescott Arizona 86303.
 Defense counsel John Sears is present.
 Bill Hughes from the County Attorney's office is present.
 Michael Stevens from victim witness is present.

PROCEEDING:

Hearing for: Initial Appearance.

ADVISE OF CHARGES AND RIGHTS:

Defendant advised of charges, of right to remain silent, right to trial and the right to court appointed counsel if indigent.
 Defendant has retained his own counsel.
 Victim's right statute has been complied with.

APPEARANCE ORDER:

Defendant is to appear for early disposition court in Superior Court in Prescott Arizona of the on Tue Oct. 28, 2008 at 8:00 a.m. if in custody or 1 p.m. if not in custody.
 The State addresses the Court regarding holding defendant without bond.
 The Court finds probable cause that first degree murder was committed and that the defendant committed it and that the proof is evident of it's commission therefore defendant is held without bond.

The Simpson Hearing will be tentatively set on Friday, October 31, 2008 at 9:00a.m. in the Prescott Justice Court.
 If the Simpson Hearing is set in another court, Prescott Justice Court will be notified ahead of that time.

RELEASE ORDER:

2008100744J

Name: STEVEN CAROL DEMOCKER

Page 2

Defendant is to have no contact with Ruth Kennedy, Victims Mother And No Contact With Daughters Katie And Charlotte Democker.

NO posession of alcohol or drugs.

You may not possess or use deadly weapons.

Obey all laws.

Defendant Not to leave the State of Arizona without prior written permission of the Court.

DELIVERED TO DEFENDANT:

A copy of this minute entry/Order & Pertinent Instructions.

THESE PROCEEDINGS WERE ELECTRONICALLY RECORDED.

DONE THIS 24TH DAY OF OCTOBER, 2008 IN OPEN COURT.

10 38 AM Oct 24, 2008

P.H.
10/31@4
DS

w 2ND
EDC

PRESBOTT JUSTICE COURT

120 S Cortez St, Room 103

Prescott AZ 86303-4747

(928) 771-3300

www.prescottJPCourt.com

NAME: STEVEN CAROL DEMOCKER

DOCKET: 2008100744J

Dob: 1/7/1954 Ssn: 099-42-3468

It is hereby ordered that the defendant be released, provided he/she comply with the standard conditions and all other conditions set forth below:

I. Standard Conditions of Release

1. Appear to answer and submit him/herself to all further orders and processes of the court having jurisdiction of the case.
2. Refrain from committing any criminal offense.
3. Not depart the state without leave of the court, and
4. If released during an appeal, prosecute his/her appeal with due diligence.

WARNING TO DEFENDANT:

You have the right to be present at your trial and at a number of other proceedings of which you will be notified. If you do not appear at the time set by the court, a warrant will be issued for your arrest and the proceeding will begin without you.

II. Additional Conditions of Release

The court finds that the following conditions are necessary to assure the defendant's appearance as required

1. To have NO contact with Ruth Kennedy, Victims Mother And No Contact With Daughters Katie And Charlotte Democker .
2. NO possession/use of alcohol or drugs.
3. You may not possess or use deadly weapons.
4. You must obey all laws.
5. Defendant is not to Leave the state without PRIOR written permission of the Court.

III. Consequences of Violating This Order

If the defendant violates any condition of an appearance bond, the court may order the bond and any security deposited in connection herewith forfeited to the State of Arizona.

In addition, the court may issue a warrant for the defendant's arrest upon learning of his violation of any of the conditions of his release. After a hearing, if the court finds that the defendant has not complied with the conditions of release, it may modify the conditions or revoke the release altogether.

If he was released on a felony charge and the court finds proof evident or the presumption great that he committed a felony during the period of release, it SHALL revoke his release. Such defendant would also be subject to an additional criminal charges, and upon conviction could be punished by imprisonment for not more than five years in the state prison, in addition to the punishment which would otherwise be imposable for the crime committed during the period of release.

Upon finding that the defendant or any other person named in this order has willfully violated its terms, the court may also find him/her in contempt of court and sentence him/her to a term of imprisonment, a fine, or both.

IV. Acknowledgement by Defendant

I understand the standard and all other conditions of my release above, and the forfeitures and penalties applicable in the event I violate them. I agree to comply with each of the conditions imposed by my release and to notify the court promptly in the event I change my address .

Dated: Oct. 24, 2008

STEVEN CAROL DEMOCKER


Arthur Markham.

IN THE JUSTICE COURT OF PRESCOTT PRECINCT

STATE OF ARIZONA, COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

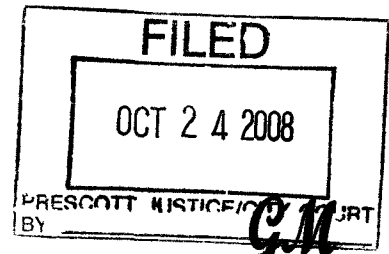
STEVEN CARROLL DEMOCKER,

Defendant.

NO. 2008100744J

COMPLAINT

FELONY




The Complainant, Jean McDermott, herein personally appears and, being duly sworn, complains on information and belief against **STEVEN CARROLL DEMOCKER** charging that in Prescott Precinct, Yavapai County, Arizona:

COUNT I

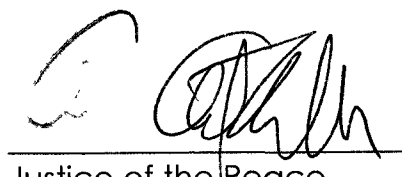
On or about July 2, 2008, **STEVEN CARROLL DEMOCKER**, acting with premeditation, caused the death of Carol Kennedy, intending or knowing that such conduct would cause death, in violation of A.R.S. §§13-1105 and 13-604, a class 1 felony.

COUNT II

On or about July 2, 2008, **STEVEN CARROLL DEMOCKER**, with intent to commit a theft or a felony therein, entered or remained unlawfully in or on the residential structure of Carol Kennedy, located at 7485 Bridal Path, Prescott, AZ, while he was armed with a deadly weapon or a dangerous instrument, to-wit: a golf club, in violation of A.R.S. §§13-1508, 13-1507 and 13-604, a class 2 dangerous felony.


Yavapai County Sheriff's Office

Subscribed and sworn to before me on October 24, 2008.


Justice of the Peace
Prescott Precinct

1 YAVAPAI COUNTY ATTORNEY'S OFFICE

2 Bill R. Hughes

3 Deputy County Attorney

4 State Bar Number 019139

OCT 27 2008

DAWW

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6 IN THE JUSTICE COURT OF THE PRESCOTT PRECINCT

7 STATE OF ARIZONA, COUNTY OF YAVAPAI

8 STATE OF ARIZONA,)

9 Plaintiff,)

10 vs.)

11 STEVEN CARROL DEMOCKER,)

12 Defendant.)

Cause No. CR 2008100744J

13 STATE'S NOTICE OF
14 INTENT TO SEEK DEATH
15 PENALTY

16 The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and
17 her deputy undersigned, hereby gives notice, pursuant to Rules 13.5 (c) and 15.1(i) of the Arizona
18 Rules of Criminal Procedure, that it will seek the death penalty against defendant Steven Carroll
19 Democker as a result of the following statutory aggravating circumstances according to A.R.S
20 §13-703:

21 A. 13-703(f)(2): The defendant has been or was previously convicted of a
22 serious offense, whether preparatory or completed. Convictions for serious offenses
23 committed on the same occasion as the homicide, or not committed on the same
24 occasion but consolidated for trial with the homicide, shall be treated as a serious
25 offense under this paragraph.
26

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

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B. 13-703(f)(5): The defendant committed the offense as consideration for the receipt, or in expectation of, the receipt, of anything of pecuniary value..

C. 13-703(f)(13): The offense was committed in a cold, calculated manner without pretense of moral or legal justification.

RESPECTFULLY SUBMITTED this 24th day of October, 2008.

SHEILA SULLIVAN POLK
YAVAPAI COUNTY ATTORNEY

By


Bill Hughes

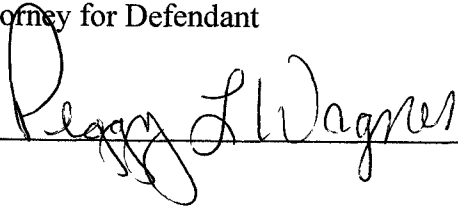
Deputy County Attorney

COPIES of the foregoing delivered
this 24th day of October, 2008 to :

Honorable Arthur Markham
Justice of the Peace of the Prescott Precinct

John Sears
Attorney for Defendant

By



515p

- ☐ VERDE VALLEY JUSTICE COURT - 928-639-5820
10 South 6th Street - Cottonwood, AZ 86326
- ☐ COTTONWOOD MUNICIPAL COURT - 928-634-7537
824 North Main Street - Cottonwood, AZ 86326
- ☐ SEDONA MUNICIPAL COURT - 928-282-1189
102 Roadrunner Drive - Sedona, AZ 86336
- ☐ CLARKDALE / JEROME MAGISTRATE COURT - 928-634-1691
45 North 9th Street - Clarkdale, AZ 86324
- ☐ CAMP VERDE MUNICIPAL COURT - 928-567-6635
473 South Main Street - Camp Verde, AZ 86322
- ☐ MAYER JUSTICE COURT - 928-632-7342
12840 Central Avenue - Mayer, AZ 86333
- ☐ OTHER:

- ☒ PRESCOTT JUSTICE / CITY COURTS - 928-771-3300
Yavapai County Courthouse - Prescott, AZ 86301
- ☐ FRESCOTT VALLEY MAGISTRATE COURT - 928-772-8277
7501 Civil Circle - Prescott Valley, AZ 86314
- ☐ CHINO VALLEY MUNICIPAL COURT - 928-636-4534
1988 North Road One West - Chino Valley, AZ 86323
- ☐ BAGDAD JUSTICE COURT - 928-633-2141
100 Main Street - Bagdad, AZ 86321
- ☐ YARNELL JUSTICE COURT - 928-427-3318
22591 Lookaway - Yarnell, AZ 85362
- ☐ SELIGMAN JUSTICE COURT - 928-422-3281
200 North Floyd Street - Seligman, AZ 86337

STATE OF ARIZONA,

vs. STEVEN CAROL

DEMUCKER

Defendant

CASE NO.

BOOKING NO.

08-029129

08-09279

RELEASE QUESTIONNAIRE

Part A

INFORMATION TO BE SUPPLIED BY THE PROSECUTOR OR LAW ENFORCEMENT OFFICER

Instructions to Magistrates: Under the Arizona Revised Statutes, the magistrate is to consider the following factors in determining the appropriate conditions for release of persons accused of a crime: The nature and circumstances of the offense charged, the weight of evidence against the accused, family ties, employment, financial resources, character, mental condition, length of residence in the community, record of arrests and convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

You are to obtain as much of the information called for in this form (Parts A and B) as possible for purposes of making your release decision. The prosecutor or law enforcement officer is required to complete Part A of this form prior to the accused's initial appearance in court. The accused may complete Part B before hand, or you may record the responses the accused gives orally during the initial appearance.

1. Charge(s) against Defendant: FIRST DEGREE MURDER (CAPITAL) - FIRST DEGREE BURGLARY
2. Maximum penalty for the charge(s): _____
3. Defendant is here pursuant to ☒ an arrest ☐ a sum mons.
4. If Defendant was arrested, tell when and where taken into custody: PRESCOTT - YCSO 5:15 PM
5. List any other charges outstanding against Defendant: _____
6. Time and place of offense: _____
7. Was property taken or destroyed? ☐ Yes ☒ No Value? _____ Has it been recovered? ☐ Yes ☐ No
8. Was anyone injured or threatened with personal injury by Defendant during the course of the offense or subsequent thereto? ☒ Yes ☐ No If yes, list the extent and nature of any injuries: EX WIFE WAS MURDERED WITH A BLUNT FORCE WEAPON - INSTRUMENT - HER SKULL WAS IN OVER 50 PIECES (LATER DETERMINED)
9. Did Defendant attempt to avoid or resist arrest? ☐ Yes ☒ No If yes, how? NOT AT TIME OF ARREST
10. Was Defendant armed at the time of the offense? ☐ Yes ☒ No If yes, describe the weapon: _____
11. Was evidence of the offense found in Defendant's possession? ☐ Yes ☒ No
12. Has Defendant admitted involvement in the offense? ☐ Yes ☒ No
13. Has Defendant made any threats against potential witnesses or other parties? ☐ Yes ☐ No If yes, explain: UNKNOWN
14. Is there any indication that Defendant is ☐ an alcoholic, ☐ an addict, ☐ mentally disturbed, or ☐ physically ill? Explain any affirmative answer: NO TO ALL
15. Provide information which indicates Defendant may flee if released: DEFENDANT IS WEALTHY - DEFENDANT OWNED AND HAD BOOKS (NUMEROUS) ABOUT BECOMING A FUGITIVE.
16. Based on the information available, does the state oppose an unsecured release at this time? ☒ Yes ☐ No

name, address, and signature of the representative of the state and any other person supplying any of the above information:

DATE: 10/23/05

SIGNATURE: [Signature]

5472

AGENCY: YCSO

ADDRESS: 255 E GORDON PRESCOTT AZ

- ☐ VERDE VALLEY JUSTICE COURT - 928-639-5820
10 South 6th Street - Cottonwood, AZ 86326
- ☐ COTTONWOOD MUNICIPAL COURT - 928-634-7537
824 North Main Street - Cottonwood, AZ 86326
- ☐ SEDONA MUNICIPAL COURT - 928-282-1189
102 Roadrunner Drive - Sedona, AZ 86336
- ☐ CLARKDALE / JEROME MAGISTRATE COURT - 928-634-1691
45 North 9th Street - Clarkdale, AZ 86324
- ☐ CAMP VERDE MUNICIPAL COURT - 928-567-6635
473 South Main Street - Camp Verde, AZ 86322
- ☐ MAYER JUSTICE COURT - 928-632-7342
12840 Central Avenue - Mayer, AZ 86333
- ☐ Other

- ☐ PRESCOTT JUSTICE / CITY COURTS - 928-771-3300
Yavapai County Courthouse - Prescott, AZ 86301
- ☐ PRESCOTT VALLEY MAGISTRATE COURT - 928-772-8277
7501 Civil Circle - Prescott Valley, AZ 86314
- ☐ CHINO VALLEY MUNICIPAL COURT - 928-636-4534
1988 North Road One West - Chino Valley, AZ 86323
- ☐ BAGDAD JUSTICE COURT - 928-633-2141
400 Main Street - Bagdad, AZ 86321
- ☐ YARNELL JUSTICE COURT - 928-427-3318
22591 Lookaway - Yarnell, AZ 85362
- ☐ SELIGMAN JUSTICE COURT - 928-422-3281
200 North Floyd Street - Seligman, AZ 86337

STATE OF ARIZONA,

vs.

CASE NO.

RELEASE QUESTIONNAIRE

Part B

DEMCKER, STEVEN Defendant

BOOKING NO.

INFORMATION TO BE COMPLETED BY THE DEFENDANT OR BY THE MAGISTRATE - *Instructions to the Defendant:* The answers you give to the following questions will be used by the Court to determine the conditions of your release at this time. You are not required to answer any question if you feel the answer might be harmful to you. Your answers will be checked against the information supplied by the police, and with the references you give on the form. Any discrepancies may result in higher bail or harsher conditions of release. Any information you give may be used against you in this or any other matter.

- G E N E R A L**
- Full Name Steven DeMcker
 - Sex ☐ M ☐ F Race: _____ Age: _____ Place of Birth: City: Rochester State: NY
 - Present Citizenship: USA If not a U.S. citizen, how long have you been in this country? _____
 - Present residence address: (Street, City, State, Zip Code) 1716 Alpine Meadows Lane
Prescott AZ
 - Length of time at present residence? 5 1/2 yr Where else have you lived in the past year and for how long? _____
 - Current mailing address: (Street or P.O. Box, City, State, Zip Code) _____ Phone: () _____
- F A M I L Y**
- Are you married? ☐ Yes ☒ No Are you living with your spouse? ☐ Yes ☐ No
 - How many other persons (including your children) are living with you? 2
 - How much do you contribute to their support? \$ 1007.00
 - Do you have regular contact with any other relatives? ☒ Yes ☐ No If yes, list the names and your relationship: Jim, Sue, Dan, Janice, John, Sharon, Donna + Mary DeMcker
- W O R K**
- Are you employed? ☒ Yes ☐ No If not, what is your main source of income? _____
 - Employer's name: UBS
 - Employer's address: _____
 - What is the nature of your job? financial advisor
- R E C O R D**
- Do you have any previous criminal convictions? ☐ Yes ☒ No If yes, explain: _____
 - Have you ever been arrested and released on bail (or other conditions) pending trial? ☐ Yes ☒ No
 - Did you ever fail to appear as required? ☐ Yes ☒ No If yes, explain: _____
 - Does this alleged incident involve any member of your household? ☐ Yes ☒ No If yes, is the person ☐ the victim ☐ a co-defendant ☐ both
 - Are you welcome to return home? ☒ Yes ☐ No If not, where will you go if released today? _____
 - Is there any organization, church, or person who might agree to supervise you and be responsible for your return to court as required? ☒ Yes ☐ No If yes: (Name, Address, Phone) John Sears, my attorney
 - Are there any other matters (such as your physical or mental health, use of any mind-altering substance, or illness in family) which you feel the Court should consider in making its decision? ☐ Yes ☒ No If yes, explain: _____
 - Is there any friend, relative, neighbor, minister, or other person who can be called as a reference for this information? ☒ Yes ☐ No If yes: (Name & Phone) Renee Girard, my daughters, my family

DEFENDANT'S SIGNATURE

Release Questionnaire Part B for All Courts wpd 2/3/04

- ☐ JUZGADO DE LA PAZ DEL VALLE VERDE - 928-639-5820
10 South 6th Street - Cottonwood, AZ 86326
- ☐ JUZGADO MUNICIPAL DE COTTONWOOD - 928-634-7537
824 North Main Street - Cottonwood, AZ 86326
- ☐ JUZGADO MUNICIPAL DE SEDONA - 928-282-1189
102 Roadrunner Drive - Sedona, AZ 86336
- ☐ JUZGADO DEL MAGISTRADO DE CLARKDALE / JEROME - 928-634-1691 - 45 North 9th Street, Clarkdale, AZ, 86324
- ☐ JUZGADO MUNICIPAL DE CAMP VERDE - 928-567-6635
473 South Main Street - Camp Verde, AZ 86322
- ☐ JUZGADO DE LA PAZ DE MAYER - 928-632-7342
12840 Central Avenue - Mayer, AZ 86333
- ☐ OTRO:

- ☐ JUZGADOS DE LA PAZ / CIUDAD DE PRESCOTT - 928-771-3300
Yavapai County Courthouse - Prescott, AZ 86301
- ☐ JUZGADO DEL MAGISTRADO DE PRESCOTT VALLEY - 928-772-8277 - 7501 Civil Circle - Prescott Valley, AZ 86314
- ☐ JUZGADO MUNICIPAL DE CHINO VALLEY - 928-636-4534
1988 North Road One West - Chino Valley, AZ 86323
- ☐ JUZGADO DE LA PAZ DE BAGDAD - 928-633-2141
100 Main Street - Bagdad, AZ 86321
- ☐ JUZGADO DE LA PAZ DE YARNELL - 928-427-3318
22591 Lookaway - Yarnell, AZ 85362
- ☐ JUZGADO DE LA PAZ DE SELIGMAN - 928-422-3281
200 North Floyd Street - Seligman, AZ 86337

ESTADO DE ARIZONA,

v

NO DE CAUSA

PART B - SPANISH

CUESTIONARIO DE LIBERTAD

Parte B

Acusado

NO DE FICHA POLICIAL

INFORMACION COMPLETADA POR EL ACUSADO O POR EL MAGISTRADO - *Instrucciones al Acusado:* Las contestaciones que Ud dé a las siguientes preguntas serán usadas por el Juez para determinar las condiciones de su libertad en este momento. No es obligatorio que Ud. conteste a una pregunta si Ud. cree que la contestación podría causarle daño. Se comprobarán sus contestaciones con la información proveída por la policía y con las referencias que Ud. dé en el formulario. Cualquier discrepancia puede resultar en una fianza más alta o en condiciones de libertad más duras. Cualquier información que Ud. dé puede usarse en contra de Ud. en este o cualquier otro asunto.

G E N E R A L	1. Nombre Completo: _____
	2. Sexo <input type="checkbox"/> M <input type="checkbox"/> F Raza: _____ Edad: _____ Lugar de Nacimiento: Ciudad: _____ Estado: _____
	3. Ciudadanía Actual: _____ Si no es ciudadano de E.U. ¿cuánto tiempo lleva en este país? _____
	4. Dirección de domicilio actual (Calle, Ciudad, Estado, Zip) _____
	5. ¿Cuánto tiempo lleva en el domicilio actual? _____ En el último año, ¿dónde más ha vivido y por cuánto tiempo? _____
	6. Dirección actual de correo: (Calle o No. de Apartado, Ciudad, Estado, Zip) _____ Teléfono (____) _____
F A M I L I A	7. ¿Está Ud casado? <input type="checkbox"/> Sí <input type="checkbox"/> No ¿Está viviendo con su esposa(o)? <input type="checkbox"/> Sí <input type="checkbox"/> No
	8. ¿Cuántas otras personas (incluyendo a sus hijos) viven con Ud.? _____
	9. ¿Cuánto contribuye Ud a su mantenimiento? \$ _____
	10. ¿Ud tiene contacto regular con otros parientes? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí, ponga los nombres y su relación con ellos: _____
T R A B A J O	11. ¿Ud. tiene trabajo? <input type="checkbox"/> Sí <input type="checkbox"/> No Si no, ¿cuál es su fuente principal de ingresos? _____
	12 Nombre del empleador: _____
	13 Dirección del empleador: _____
	14 Describa su trabajo: _____
A N T E C E D E N T E S	15. ¿Tiene Ud. antecedentes penales? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí, explique: _____
	16. ¿Ud. ha sido arrestado y liberado bajo fianza (u otras condiciones) con juicio pendiente? <input type="checkbox"/> Sí <input type="checkbox"/> No
	17. ¿Ud. alguna vez dejó de comparecer cuando era obligatorio? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí, explique: _____
	18. ¿Está involucrado en este incidente presunto algún miembro de su vivienda? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí, es la persona <input type="checkbox"/> la víctima <input type="checkbox"/> un co-acusado <input type="checkbox"/> las dos cosas
	19. ¿A Ud lo aceptarán en su casa? <input type="checkbox"/> Sí <input type="checkbox"/> No Si no, ¿a dónde irá si es liberado hoy? _____
	20. ¿Hay alguna organización, iglesia, o persona que accediera a supervisar a Ud. y a ser responsable por su vuelta al juzgado como se le obliga? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí: (Nombre, Dirección, Teléfono) _____
	21. ¿Hay otros asuntos (tales como su salud física o mental, el uso de alguna sustancia que afecta la mente, o enfermedad en la familia) que Ud. cree que el Juez deba tener en cuenta al tomar su decisión? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí, explique: _____
	22. ¿Hay algún amigo, pariente, vecino, pastor, u otra persona que pudiera ser llamado como referencia para esta información? <input type="checkbox"/> Sí <input type="checkbox"/> No Si sí: (Nombre & Teléfono) _____

FIRMA DEL ACUSADO

Release Questionnaire Part B for All Courts wpd Spanish version wpd 2/3/04

STATE OF ARIZONA vs. Steven Carroll Democker Defendant	CASE NO. 08-029129	PROBABLE CAUSE
	BOOKING NO. 08-09279	

<p align="center">INFORMATION TO BE SUPPLIED BY THE PROSECUTOR OR LAW ENFORCEMENT OFFICER</p> <p>Instructions to Magistrate: Under the Arizona Revised Statutes, the magistrate is to consider the following factors in determining the appropriate conditions of release of the persons accused of a crime: the nature and circumstances of the offense charged, the weight of evidence against the accused, family ties, employment, financial resource, character, mental condition, length of residence in the community, record of arrests and convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.</p> <p>You are to obtain as much of the information called for in this form (Parts A and B) as soon as possible for purpose of making your release decision. The prosecutor or law enforcement officer is required to complete Part A of this form prior to the accused's initial appearance in court. The accused may complete his portion (Part B) before hand, or you may record responses he gives orally during the initial appearance.</p>

The following additional information is relevant to the conditions of release of Defendant above named with reference to the charge(s) described in Release Questionnaire Part A and any additional charge(s) referred to below:

Steven Democker and Carol Kennedy were officially divorced on May 28, 2008. His first alimony payment due was 07/01/08. She was murdered on 07/02/08.

On 07/02/08 at about 7:59 PM Carol Kennedy, 53, who resided at 7485 Bridal Path in Williamson Valley, was on the phone with her mother Ruth Kennedy. According to Ruth, who lives in Tennessee, Carol exclaimed "Oh No" and the phone disconnected. Both she and her son, Carol's brother, John Kennedy, tried calling Carol's ex, Steve Democker, 53, several times on both his home and cell phones to check on Carol. When they did not get a response they called the police. YCSO received Carol's call at 8:16 PM. Deputy Matt Taintor arrived on scene for a welfare check at 8:52 PM. He walked around the outside of the house and using his flashlight he could see into a room that faces the rear of the property. He sees the victim lying on the floor in a pool of blood.

Detectives were called to the scene and determined the scene to be staged. It was obvious her body was repositioned. A ladder was placed into the crime scene that made it appear to be a fall and that she hit her head on the desk. The ladder did not have blood on it yet the wall behind it did.

While on the scene Charlotte Democker, the 16 year old in common daughter of Steve and Carol, pulls up to the house at 2359 hours with her boyfriend, 16 year old Jacob Janusek. Charlotte was on the phone with her dad when she pulled up. She is told her mom is dead – about 1 minute later Det. Brown spoke with Steve Democker. Among the statements he made was "What kind of state is the body in, she hasn't seen Carol has she

After arriving at the scene Mr. Democker agreed to go to YCSO to answer questions. After they arrive one of the first things he asked was if this can be quick since he has to work in the morning.

Mr. Democker states he got home around 5 PM. He had texted the victim twice during the day stating he wanted to come and get Katie's car. Katie is a 19 year old in common daughter who was out of the country and just left Sunday. She normally stays at Carol's. Katie's car was in the victim's garage. He also texted that they both owed each other a "pile" of money and should exchange checks. She texted back he could pick up the car whenever he wanted to-the keys were in the car.

Mr. Democker stated he was on a bike (bicycle) ride from about 6:30 PM until 9:00 PM, 9:30 PM, or it was

getting dark.

Mr. Democker stated he got a flat tire while out on the ride and had to walk/ride the bike back. Where he started the ride from was 1.5 miles from the victim's house. This trail is almost 10 miles from his house. He said because of the flat it took him almost 4 hours. Det. Sgt. Huante rode the trail round trip in approximately 1 hour and 45 minutes.

An offshoot of this trail veers toward Williamson Valley Road toward Glenshandra. Glenshandra runs into a gate where there is another trail/path that runs behind the victim's house. After the gate there is dirt, which had bike tire tracks that were consistent with the tread pattern on Democker's bike, including what appeared to be a flat rear tire. These tracks were 100 yards from the rear of the victim's property. There are shoe tracks that lead from the bike tracks to the rear of the victim's property. Another set of those same shoe prints went straight back to the bike from the victim's property. It had rained so those tracks were fresh.

Mr. Democker stated a number of times that there are lots of mountain bikers and horse riders on that trail but on this particular journey, in which he claims to be on for four hours, he did not see anyone.

Mr. Democker had cuts on his arms and legs-particularly on his left side including a rather deep straight across cut on his left ankle. He attributed these to taking place while on his bike ride. The cut on the left ankle did not appear to come from a bush. We were given a statement later from a girlfriend of Mr. Democker's that the cuts came as he was heading back from his ride, which means he fell off while riding on a flat or while walking his bike back. This trail was also not narrow-it's a rather wide trail up to five feet in some areas.

Mr. Democker said he was familiar with both of the areas, the trail he said he was riding and of the path and area behind the victim's house, as he used to live there.

Mr. Democker said there is nothing to tie him to the house, that he wasn't there, and he wouldn't do "that".

Mr. Democker mentioned three times he turned his phone on, he later mentioned he had a dead battery so he was out of communication. He "remembered" he had a spare battery and put it in at shortly after 10 PM. (We have statements that he carries 2-3 spare batteries.)

He arrived at the entrance to his community at approximately 10:09 PM. When Charlotte and Jacob arrived home at 10:16 PM he was just getting into the shower. Mr. Democker washed the clothes he wore during his bike ride.

Ruth Kennedy and her son tried calling Steve Democker several times on both his home and cell phones to ask him to check on Carol. He answered John's 5th call and he refused to go to the house. He said he didn't think it was appropriate in case she had a guy over and/or she was screening calls.

Mr. Democker left the house 3 times between 11:00 PM and midnight, when he came to the scene. He changed his story as to why he left the first time. He left two other times for unknown reasons and unknown locations.

The autopsy showed the victim sustained at least 7 blows to the head with a blunt force instrument that both Dr. Keen and Dr. Fulginiti mentioned as being consistent with a golf club. When Dr. Fulginiti received the victim's head, the skull was in over 50 pieces. The severity of the injuries suggests her attacker was in a rage. Rage often suggests a relationship between the attacker and the victim.

A search was conducted at the Hassayampa residence of Steven Democker. Photos of the first search showed a shelf in the garage in which a golf head cover was pictured. Next to this shelf was a set of left hand Cleveland golf clubs. Katie, the other daughter, was later interviewed and she said her dad gave Carol a golf club to sell at a garage sale and she thought it was brought to Carol's house. Detectives did not find any clubs at Carol's.

Detectives left Mr. Democker's house while the autopsy was taking place. After the autopsy, based on the reference Keen made to a golf club being a possible weapon and the photos of the clubs and the head cover without a club, the detectives went back with a search warrant, 2.5 hours after they left the residence the 1st time to seize the head cover. The sock was gone. Jacob said Steven went for a walk after detectives left the first time.

Mr. Democker's phone was powered off approximately 2.5 hours prior to the murder and approximately 2 hours after the murder.

During the time frame of the homicide Mr. Democker claims to be riding his bike right across the street from his wife's neighborhood. He claims no one saw him despite being on the trail for approximately four hours on a trail that he eluded was popular.

Mr. Democker admits knowing the area well both at the trail and behind her house. Bicycle tracks matching his bike are located 100 yards from the victim's property.

Despite Charlotte expressing concern for the mom based in part on her mentioning three previous break ins, all the calls to Carol from family urging her to answer the phone, and the way the conversation ended with Ruth "oh no" and the phone disconnects, his 16 year old daughter and her 16 year old boyfriend went to check on her.

Ruth said when Carol was on the phone with her that night she mentioned Steve had not made his first payment and she mentioned going to the lawyer's the next day. We believe Steve was in the house when this conversation took place.

The victim was alone in the house as Katie was in Africa. Democker knew this.

Steven Democker had been ordered by the courts to pay \$500,000.00 plus in alimony, roughly \$6,000.00 a month. In addition, there are \$750,000 in life insurance policies on the victim. In addition, based on the way the decree was set up, the majority of the debt that Carol and Steven had incurred while married, died with her, as she was responsible for the majority of that debt.

Steven Democker rented a residence near his home and used that computer to order four books using his American Express card. The books were ordered on 08/20/08 and delivered 08/22/08. They were delivered in his name to the UBS Office in Prescott. The names of the books are:

How to Be Invisible: The Essential Guide to Protecting Your Personal Privacy, Your Assets and your Life

Cover Your Tracks Without Changing Your Identity: How to Disappear Until You Want to Be Found

The International Fugitive

Advanced Fugitive: Running, Hiding, Surviving and Thriving Forever

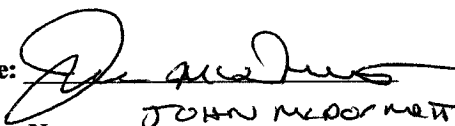
These books were later found at his residences in Scottsdale and in a Prescott storage unit. On 10/23/08 Mr. Democker advised as to the whereabouts of the golf head sock. The golf head sock was located at his attorney's office. Mr. Democker stated he found the golf head sock the day after the second search warrant had been served at his residence. He did not state where he found the golf head sock. Detectives conducted a very extensive search at Mr. Democker's house even searching the attic and the area around the house.

Name, address and signature of the representative of the State and any other person supplying any of the above information.

Dated: 10/23/08

Address: 255 E. Gurley St

Prescott, AZ 86301

Signature: 

Print/Type Name:

JOHN MCCORBETT

Agency: Yavapai County Sheriff's Office

☐ VERDE VALLEY JUSTICE COURT - 928-639-5820
10 South 6th Street - Cottonwood, AZ 86305
☐ COTTONWOOD MUNICIPAL COURT - 928-634-7537
824 North Main Street - Cottonwood, AZ 86325
☐ SEDONA MUNICIPAL COURT - 928-282-1189
102 Roadrunner Drive - Sedona, AZ 86336
☐ CLARKDALE / JEROME MAGISTRATE COURT - 928-634-1691
45 North 9th Street - Clarkdale, AZ 86324
☐ CAMP VERDE MUNICIPAL COURT - 928-567-6635
473 South Main Street - Camp Verde, AZ 86322
☐ MAYER JUSTICE COURT - 928-632-7342
12840 Central Avenue - Mayer, AZ 86333

☐ PRESCOTT JUSTICE COURTS - 928-771-3300
Yavapai County Court - Prescott, AZ 86301
☐ PRESCOTT VALLEY MAGISTRATE COURT - 928-772-8277
7501 Civil Circle - Prescott Valley, AZ 86314
☐ CHINO VALLEY MUNICIPAL COURT - 928-636-1534
1989 North Road One West - Chino Valley, AZ 86323
☐ BAGDAD JUSTICE COURT - 928-633-2141
100 Main Street - Bagdad, AZ 86321
☐ YARNELL JUSTICE COURT - 928-427-3318
22591 Lookaway - Yarnell, AZ 85362
☐ SELIGMAN JUSTICE COURT - 928-422-3281
200 North Floyd Street - Seligman, AZ 86337

STATE OF ARIZONA,

vs

DEMCKER, STEVEN

Defendant,

08-029129
CASE NO

08-09279
BOOKING NO

DEFENDANT'S
FINANCIAL STATEMENT

REQUEST FOR
COURT-APPOINTED COUNSEL

ORDER

ORDER

☐ Public Defender Appointed ☐ Public Defender Denied

Signed by Judge _____ Court _____ Date _____

INSTRUCTIONS FOR THE DEFENDANT The judge needs to know about your financial situation in determining whether to require you to post bond and, if so, the amount of bond. The judge must also determine whether or not you are entitled to have a lawyer appointed to represent you. Please answer carefully, for you could be subjected to punishment for contempt of court or to prosecution for perjury if you knowingly give false or misleading information.

Age 54 Marital Status divorced Number of Others You Support 2 Soc Sec No 099-42-2468

Mailing Address 1716 Alpine Meadows La #1405 Prescott 86303 Telephone 928-776-8852
713-1919

☐ Employed ☒ Full-time () Part-time ☐ Unemployed ☐ Student ☐ Retired
VBS Financial Svcs 2555 E Camelback Rd 6th Fl Phoenix AZ 85016 Telephone 602-957-5700

Your Total Monthly Take-Home Income & Source of Income variable, but approx \$10,000
Spouse's or Other Monthly Income Charlotte's SS survivor benefit \$ 950/mo
Total Monthly Income \$ 9-11,000 approx

DEBTS OR MONTHLY EXPENSES

Rent or Mortgage Payments \$ _____
Utilities (Telephone, Electric, Gas, etc) \$ _____
Insurance (Auto, Health, Life, etc) \$ _____
Vehicle Payments \$ _____
Medical Bills \$ _____
Child Support or Alimony \$ _____
Loan Payments and Credit Card Payments \$ _____
Other Debts \$ _____
Total Monthly Expenses \$ _____

ASSETS

Checking Account (Average Balance) \$ 5-7,000
Savings Account \$ 1,000
401K or Retirement Plan deferred comp don't know exactly, approx \$50,000
Real Estate (Value less amount owed) \$ 21-51,000 net
Vehicles, Boats, Motor Homes, etc. (Value less amount owed) \$ 0
Stocks, Bonds, Certificates of Deposit, etc 140K unvested stock due 3/2010 \$ 14,000 approx
Jewelry, Artwork, Collections, Furniture \$ 10,000 approx
Other Assets vehicles are leased, or have loans \$ 0
Total Assets \$ 65-70,000

Do you want the court to appoint a lawyer to represent you in this case? () Yes ☒ No
If yes, how much can you afford to contribute to the cost of a lawyer to represent you in this case? \$ _____

Under Penalty of Perjury, I declare that I have examined the above statements made by me and to the best of my knowledge and belief, each and all are true and correct

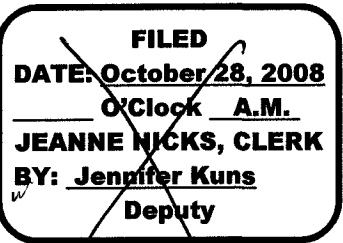
DATE 10-23-08 DEFENDANT'S SIGNATURE

Steve Demcker

ARREST/BOOKING RECORD

1. NAME OF REPORTING AGENCY YCSO												2. LAST NAME DEMOCKER												3. FIRST STEVEN												4. MIDDLE CARROLL												5. SUP S												6. ALIAS, SCARS												7. MARKS												8. BOOKING NO.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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112. DATE BOOKED 10-23-08												113. TIME 1930												114. DAY TH												115. FLOOR -												116. CELL 120												117. LOCKER 832L												118. JAILERS TH												119. REASON C												120. LOCATION OF PRISONER - FACILITY Pct Jail												121. PHO. Y												122. P.P. 1/1																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
123. HOLDS												124. BOOKING OFFICER SIGNATURE & ACCEPTANCE OF PRISONER T. J. 832L												125. CASH 90.00												126. PROPERTY: DESCRIBE IN DETAIL Silver Metal Watch, BIK Belt, Blue shirt & tie, BIK Pants socks & shoes, white Bred's, wallet w/ misc papers, AZ DL Lic.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
127. VEH. COLOR												128. YEAR												129. MAKE & MODEL												130. LICENSE NO.												131. IN												132. RIGHT THUMB												133. OUT																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
134. DISPOSITION OF VEHICLE												135. ALL MONEY & PROPERTY HELD IS LISTED												136. OFFICER SIGNATURE ACCEPT. PROPERTY T. J. 832L												137. DATE RELEASED												138. TIME												139. RELEASED BY																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
140. I HAVE REC'D ALL MONEY & PROPERTY HELD X												141. PRISONER SIGNATURE												142. DATE RELEASED												143. TIME												144. RELEASED BY																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



STATE OF ARIZONA

vs

STEVEN CAROL DEMOCKER

Defendant

[D-]

Case No PJC2008100744J

CR

Div. 5 Date October 28, 2008

EARLY DISPOSITION HEARING

[185]

START TIME: 8:14 a.m. END TIME: 8:16 a.m.

County Attorney is present by John Schneidel

Victim case: [☒] yes [☐] no

[X] Defendant ~~is/is not~~ present ([☒] in custody); represented by Counsel John Sears

[☐] Defendant requests Court-appointed counsel; is/is not sworn; is questioned as to indigency.

[☐] THE COURT FINDS Defendant is/is not indigent.

[☐] IT IS ORDERED: appointing the Yavapai County Public Defender/Contract Administrator to represent Defendant.

[☐] Defendant must Pay \$25.00 Public Defender Fee to Clerk of Superior Court If Not Already Paid [☐] within 30 days

[☐] IT IS ORDERED the Clerk shall correct the Defendant's name on Court records to

Disclosure [☐] received [☐] not received

Plea Offer [☐] received [☐] not received

[☐] Defendant waives Preliminary Hearing. [9557] [☒] Defendant requests Preliminary Hearing.

[☐] The Court enters not guilty plea on behalf of Defendant.

[☐] Defendant waives Preliminary Hearing, pursuant to plea agreement, and proceeds to entry of plea.

[☐] ORDER assigning cause number CR [☐] the matter is assigned to Div. 5 [419]

[☐] ORDER the Information be filed in this matter.

Case Master [☐]

IT IS ORDERED [☒] setting [☐] continuing:

[☐] Early Disposition Hearing on _____, 20____, at _____m. in Div. _____ [527]

[☐] Case Management Conference on _____, 20____, at _____m. in Div. _____ [1433/2433]

[☒] Preliminary Hearing on October 31, 2008, at 4:00pm. in Div. 5

[☐] The Court may assess repayment of attorney fees.

Time is/will be [☐] excluded [☐] non-excluded [☐] pursuant to Rule 8 [☐] pursuant to Rule 11.

[☐] referring this matter to Pretrial Services.

[☐] Defendant shall have no contact with victim(s).

[☒] confirming the conditions of release previously set.

[☐] denying request to modify release conditions.

[☐] modifying release conditions _____ [145]

[☐] Counsel for Defendant shall file a Rule 12.10 (a)/5.8 Notice.

[☐] IT IS ORDERED [☐] remanding this matter to the Justice Court, after State's notice they will decline prosecution at this time.

[☐] Any bond not previously forfeited or pending forfeiture proceedings is exonerated. [442]

[☐]

[X] County Atty (e+)	[X] Def Atty <u>J. Sears</u>	[<input type="checkbox"/>] PD(e)	Court Clerk <u>JENNIFER KUNS</u>
[X] V S (e+)	[<input type="checkbox"/>] PT Svcs. by FAX (Prescott 3112)		
[X] EDMS	[<input type="checkbox"/>] PT Svcs. by FAX (VV - 6-8718)		
[X] Div <u>5</u>	[X] YCSO. [X] Detention Records [<input type="checkbox"/>] Transport		Court Reporter <u>HEIDI ANDERSON</u>
[<input type="checkbox"/>] Financial Services			
[<input type="checkbox"/>] Court Admin - INT	[<input type="checkbox"/>] File to the Verde File Room	TOTAL <u>10</u>	Interpreter _____
[<input type="checkbox"/>] Other	[<input type="checkbox"/>] JC w/ transmittal - <u>Prescott</u>	[<input type="checkbox"/>] JC	cr185-earlydispo hrg REV 06-04-07

PRESCOTT JUSTICE COURT
120 S Cortez St, Room 103
Prescott AZ 86303-4747
(928) 771-3300

www.prescottJPCourt.com

NAME: STEVEN CAROL DEMOCKER
Dob: 1/7/1954 Ssn: 099-42-3468

DOCKET: 2008100744J

It is hereby ordered that the defendant be released, provided he/she comply with the standard conditions and all other conditions set forth below:

I. Standard Conditions of Release

1. Appear to answer and submit him/herself to all further orders and processes of the court having jurisdiction of the case.
2. Refrain from committing any criminal offense.
3. Not depart the state without leave of the court, and
4. If released during an appeal, prosecute his/her appeal with due diligence.

WARNING TO DEFENDANT:

You have the right to be present at your trial and at a number of other proceedings of which you will be notified. If you do not appear at the time set by the court, a warrant will be issued for your arrest and the proceeding will begin without you.

II. Additional Conditions of Release

The court finds that the following conditions are necessary to assure the defendant's appearance as required:

1. To have NO contact with Ruth Kennedy, Victims Mother And No Contact With Daughters Katie And Charlotte Democker .
2. NO possession/use of alcohol or drugs.
3. You may not possess or use deadly weapons.
4. You must obey all laws.
5. Defendant is not to Leave the state without PRIOR written permission of the Court.

III. Consequences of Violating This Order

If the defendant violates any condition of an appearance bond, the court may order the bond and any security deposited in connection herewith forfeited to the State of Arizona.

In addition, the court may issue a warrant for the defendant's arrest upon learning of his violation of any of the conditions of his release. After a hearing, if the court finds that the defendant has not complied with the conditions of release, it may modify the conditions or revoke the release altogether.

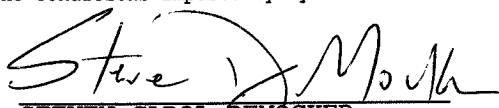
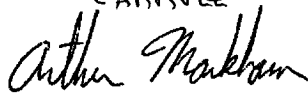
If he was released on a felony charge and the court finds proof evident or the presumption great that he committed a felony during the period of release, it SHALL revoke his release. Such defendant would also be subject to an additional criminal charges, and upon conviction could be punished by imprisonment for not more than five years in the state prison, in addition to the punishment which would otherwise be imposable for the crime committed during the period of release.

Upon finding that the defendant or any other person named in this order has willfully violated its terms, the court may also find him/her in contempt of court and sentence him/her to a term of imprisonment, a fine, or both.

IV. Acknowledgement by Defendant

I understand the standard and all other conditions of my release above, and the forfeitures and penalties applicable in the event I violate them. I agree to comply with each of the conditions imposed by my release and to notify the court promptly in the event I change my address .

Dated: Oct. 24, 2008


STEVEN CAROL DEMOCKER
CARRILL

Arthur Markham.